**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE V.GIRI**

**WEDNESDAY, THE 19TH DECEMBER 2007 / 28TH AGRAHAYANA 1929**

**WP(C).No. 7468 of 2007(L)**
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**PETITIONER:**
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**K.P.YATHEEDRANATH,**
**DEPUTY TAHSILDAR (RETIRED)**
**KAKKARITYL HOUSE, ALISSERY WARD,**
**ALAPUZHA - 1.**

**BY ADV. SRI.M.CHATHUKUTTY NAMBIAR**

**RESPONDENTS:**
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1. **THE STATE OF KERALA, REPRESENTED BY**
   **THE REVENUE SECRETARY, GOVERNMENT SECRETARIAT,**
   **THIRUVANANTHAPURAM.**

2. **THE COMMISSIONER OF LAND REVENUE,**
   **STATE OF KERALA, THIRUVANANTHAPURAM.**

3. **THE TAHASILDAR, TALUK OFFICE,**
   **CHANGANASSERY.**

4. **THE SECRETARY,**
   **DISTRICT CO-OPERATIVE BANK, ALAPPUZHA.**

5. **ACCOUNT GENERAL,**
   **STATE OF KERALA, TRIVANDRUM.**

**BY ADV. SRI.V.G.ARUN,SC,ALAPPUZHA DIST.CO.OP.BANK**
**BY GOVERNMENT PLEADER**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 19/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

*KSS*

**WPC.NO.7468/2007 L**

**APPENDIX**

**PETITIONER'S EXHIBITS:**

**EXT.P1:** **COPY OF THE JUDGMENT OF WP(C) 35531/2003 DTD. 29/03/2006.**

**EXT.P2(A):** **COPY OF THE JUDGMENT IN CONTEMPT CASE NO. 889/2006.**

**EXT.P2(B):** **COPY OF THE ORDER IN I.A.NO.3542/2006 IN C.C.NO.899/2006.**

**EXT.P3:** **COPY OF THE STATEMENT FILED BY 3RD RESPONDENT IN DTD. 4/10/2006.**

**EXT.P4(A):** **COPY OF CIRCULAR OF GOVERNMENT OF KERALA DTD. 22/05/2003.**

**EXT.P4(B):** **REPORT OF UPA LOKAYUKTHA DATED IN 7/09/2002.**

**EXT.P5:** **COPY OF THE ORDER IN I.A.NO.358/2006 IN CONTEMPT CASE © 899/2006 DTD. 12/02/2007.**

**/TRUE COPY/**

**P.A.TO JUDGE**

*KSS*

**V.GIRI,J.**

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**W.P ( C) No. 7468 of 2007**

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**Dated this the 19th December, 2007**

**J U D G M E N T**

The writ petition was filed essentially seeking a direction to the 2nd respondent to disburse the DCRG due and admissible to the petitioner. Apparently, the only reason for retaining the DCRG was a liability incurred by one Joshy Lal with the 4th respondent Bank. Petitioner was a surety in relation to the said Joshy Lal.

Mr. V.G.Arun, learned standing counsel for the 4th respondent submits that the amount due from the above-mentioned person has been realised in its entirety. Submission is recorded. In the circumstances, there is no other factor which stands in the way of the DCRG being disbursed to the petitioner.

The writ petition is disposed of directing the 2nd respondent to disburse the DCRG due to the petitioner, within one month from the date of receipt of a copy of this judgment. Petitioner's claim for interest is left open to be agitated in other appropriate proceedings.

**(V.GIRI, JUDGE)**

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**K.THANKAPPAN,J**

**CRL.A. NO.92 OF 1999**

**ORDER**

**25th May, 2007**